

Wild Horse and Burro Advisory Board
Forest Service Report
March 10, 2011

Board Recommendation:

“19. Recommend that the USDA, Forest Service continue to provide funding to the BLM for the next 5 years (FY2010-FY2015) for wild horse and burro work conducted by the BLM for the Forest Service.”

Answer: The Forest Service continues to work closely with the BLM on all gathers and the final disposition of gathered horses and burros. The Forest Service has reimbursed the BLM for work associated with gathers, etc., and long term care through a Memorandum of Understanding spelling out the reimbursement provisions. Most recently, the Forest Service has been able to accomplish this through an efficient method authorized by Congress in the FY 2005 Consolidated Appropriations Act. Congress extended this authority through FY 2014.

The Memorandum of Understanding expired during fiscal year 2010. The Forest Service and BLM are closing out the financial portions of that agreement and developing a new Interagency Agreement that will promote continued cooperation between the two agencies.

2010 Statistics

One hundred sixty-five (165) wild horses and 79 burros were gathered from lands within or adjacent to ten (10) Forest Service territories in fiscal year 2010. The territories were: Double A in Arizona (36 burros); Big Bear (43 burros), Black Mountain (3 horses), McGavin Peak (19 horses) and Round Mountain (14 horses) in California; Jarita Mesa (2 horses) and Jicarilla (97 horses) in New Mexico; Big Summit (12 horses) and Murderers Creek (16 horses) in Oregon; and Onaqui (2 horses) in Utah.

Six (6) of the horses gathered on the Big Summit Territory and the two (2) horses gathered on the Onaqui Territory were released. Twenty-seven (27) of the horses gathered on the Jicarilla Territory in New Mexico were treated and released.

Eighty-one (81) horses and 29 burros were placed for adoption.

One horse from the Round Mountain Territory was sold.

2011 Planned Gathers

The Forest Service has six (6) territories with planned gathers in FY 2011. They are Double A in Arizona (50 burros), Cherry Springs (41 horses) in Nevada, Jicarilla (150 horses) in New Mexico, Big Summit (50 horses) and Murderer's Creek (50 horses) in Oregon and North Hills in Utah.

HSUS Research Proposal

The Human Society of the United States (HSUS) has proposed conducting a 3-5 year study of a remotely delivered one-treatment porcine zona pellucid (PZP) immunocontraceptive vaccine at Jarita Mesa Wild Horse Territory on the Carson National Forest in New Mexico. The proposal is being reviewed by the Forest Service Research and Development branch. It is also being reviewed at the Regional and National levels to determine potential impacts to program management.

WH&B specialist position in Reno

Thomas Frolli, Forest Wildlife and Rangeland Management Program leader for the Lassen National Forest in California, has been offered and accepted the position. The duty location for the position will be in Reno, Nevada at the Humboldt-Toiyabe National Forest Supervisor's Office. Thomas' start date is set as March 13.

Litigation

Litigation to require the US Forest Service to expand the Pryor Mountain Herd Management Area is pending mediation in the 9th Circuit (originally Cloud Foundation v Kempthorn, CV 06-111-BLG-RFC).

The Forest Service is a party to additional litigation (Cloud Foundation v. Salazar, 1:09-CV-1651) in the Federal District Court associated with the Pryor Mountain Wild Horse Range. Reconstruction of the north boundary fence was based on a Forest Service decision regarding resource management issues on National Forest System lands.

Grazing permittees have filed suit (Stout v. USFS, CV 09-152-SU) against the Forest Service alleging failure to comply with the National Forest Management Act and Administrative Procedure Act by allowing excess horses to remain in the Murderers Creek Wild Horse Territory. The requested relief is a Court Order requiring management at the 100 head level identified in the Malheur National Forest Plan.

The plaintiffs in the previous lawsuit have also filed a Notice of Intent to sue alleging failure to comply with the Endangered Species Act (ESA) regarding management of the Murderer's Creek Wild horse Territory.